

ORDINANCE NO. 080660

Approving the preliminary plat of 39 West Lofts Condominiums on a 0.65 acre tract of land generally located at the southeast corner of 39th Street and Pennsylvania Avenue. (SD 1391).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of 39 West Lofts Condominiums on a 0.65 acre tract of land generally located at the southeast corner of 39th Street and Pennsylvania Avenue, and more specifically described as follows:

All of Lot 23 and the West 101.00 feet of Lot 24, Louis Vogle's First Addition to Westport, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, except the North 15 feet of said Lot 24 now in 39th Street right-of-way as set forth by Ordinance No. 10364, filed for record in the Office of the Recorder of Deeds for said County and State in Book 28 at Page 11, all being more particularly described as follows:

Beginning at the point of intersection of the East right-of-way line of Pennsylvania Avenue, as now established, with the South right-of-way line of said 39th Street, said point being on the West line of said Lot 24; thence South 87 degrees 18 minutes 36 seconds East along the South right-of-way line of said 39th Street, a distance of 101.00 feet; thence South 02 degrees 38 minutes 30 seconds West along a line 101.00 feet East of and parallel with the West line of said Lots 24 and 23, a distance of 57.00 feet to a point on the North line of said Lot 23; thence South 87 degrees 18 minutes 36 seconds East along the North line of said Lot 23, being also along a line 57.00 feet South of and parallel with the South right-of-way line of said 39th Street, a distance of 93.30 feet to the Northeast corner of said Lot 23, being also a point on the West right-of-way line of a 15 foot wide alley as shown on the plat of said Louis Vogle's First Addition to Westport; thence South 02 degrees 44 minutes 21 seconds West along the East line of said Lot 23, being also along the West right-of-way line of said alley, a distance of 72.00 feet to the Southeast corner of said Lot 23; thence North 87 degrees 18 minutes 36 seconds West along the South line of said lot 23, being also along a line 129.00 feet South of and parallel with the South right-of-way line of said 39th Street, a distance of 194.17 feet (195 feet, Plat) to the Southwest corner of said Lot 23, being also a point on the East right-of-way line of said Pennsylvania Avenue; thence North 02 degrees 38 minutes 30 East along the West line of said Lots 23 and 24, being also along the East right-of-way line of said Pennsylvania Avenue, a distance of 129.00 feet to the Point of Beginning. Containing 19,742 square feet or 0.453 acres, more or less

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is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer secure permits to repair existing or reconstruct sidewalks, alley, curbs, and gutters as necessary along all development street frontages, or submit a letter from a Missouri licensed civil engineer stating that the sidewalks, curbs, and gutters are in a good state of repair and meet the requirements set forth in Chapters 56 and 64, Code of Ordinances, as required by Development Services, prior to recording the plat.
3. That the developer submit covenants, conditions and restrictions to Development Services for approval by the Law Department for the maintenance of common elements and private open space tracts.
4. That the developer pay money in lieu of parkland dedication in the amount of \$252.23 (2 x 2 x .006 = 0.024 acres x \$10,509.41) in satisfaction of Section 66-128 of the Subdivision Regulations.
5. That the dedication of additional right of way of 10 feet for 39th Street, 12 feet for Pennsylvania Avenue and 2 ½ feet for the public alley be waived.

A copy of the preliminary plat is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed preliminary plat hereinabove, all public notices and hearings required by the Subdivision Regulations have been given and had.

I hereby certify that as required by Chapter 66, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney